

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SETH BEALS, individually and on behalf of  
all others similarly situated,

Plaintiff,

-against-

AUDIBLE, INC.,

Defendant.

Civil Action No. 1:17-cv-09838 (AJN)

**PLAINTIFF SETH BEALS' NOTICE OF MOTION AND  
MOTION FOR CORRECTIVE ACTION**

PLEASE TAKE NOTICE that Plaintiff Seth Beals will and hereby does move the Honorable Court, at a time and date to be set by the Court, for an order requiring corrective action concerning Defendant Audible, Inc.'s attempt to revise its relevant webpages and terms in order to secure arbitration agreements from putative class members without providing complete information that enables such putative class members to make fully informed decisions about their rights and options. This motion is brought pursuant to Federal Rule of Civil Procedure 23(d) and seeks an order declaring that any arbitration agreements secured by Audible using webpages or terms that were revised during the pendency of this action are invalid and unenforceable. This motion is based on this Notice of Motion and Motion; Plaintiff's Memorandum of Law in Support Thereof; the Affidavit of Jamin S. Soderstrom and all exhibits thereto; all documents in the Court's file; and such other arguments as may be presented to the Court.

Dated: February 8, 2018

SODERSTROM LAW PC

By: /s/ Jamin S. Soderstrom

Jamin S. Soderstrom, CA Bar No. 261054  
(admitted Pro Hac Vice)

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*Counsel for Plaintiff and the Proposed Class*

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that on February 8, 2018, the foregoing document was filed electronically. Notice of this filing will be sent to all parties through the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Jamin S. Soderstrom

Jamin S. Soderstrom